

Chapter 19.48

P-C – PLANNED COMMUNITY ZONE

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19.48.010 Purpose.

The purposes of the planned community zone are to:

- A. Provide for the orderly preplanning and long-term development of large tracts of land which may contain a variety of land uses, but are under unified ownership or development control, so that the entire tract will provide an environment of stable and desirable character;
- B. Give the developer reasonable assurance that sectional development plans prepared by him in accordance with an approved general development plan will be acceptable to the city. Sectional development plans may include subdivision plans and/or planned unit development plans as provided for in this title;
- C. Enable the city to adopt measures providing for the development of the surrounding area compatible with the planned community zone. (Ord. 2883 § 5, 2002; Ord. 2732 § 5, 1998; Ord. 1854 § 5, 1979; Ord. 1826 § 1, 1978; Ord. 1281 § 2, 1970; Ord. 1212 § 1, 1969; prior code § 33.5201(A)).

19.48.020 Regulations generally – Minimum acreage – Ownership restrictions.

A. P-C zones may be established on parcels of land which are suitable for, and of sufficient size to be planned and developed in a manner consistent with, the purpose of this chapter and the objectives of this title. No P-C zone shall include less than 50 acres of contiguous lands.

B. All land in each P-C zone, or approved section thereof, shall be held in one ownership or under unified control unless otherwise authorized by the planning commission, except as provided for in CVMC 19.48.160. For the purposes of this chapter, the written consent or agreement of all owners in a P-C zone to the proposed general development plan and general development schedule shall be deemed to indicate unified control. (Ord. 2883 § 5, 2002; Ord. 2732 § 1, 1998; Ord. 2673, 1996; Ord. 2452A § 2, 1991; Ord. 1854 § 5, 1979; Ord. 1826 § 1, 1978; Ord. 1281 § 2, 1970; Ord. 1212 § 1, 1969; prior code § 33.520(B)).

19.48.025 Community purpose facilities – ~~Minimum acreage required~~ Provision of land or specified alternative – Permitted uses.

A. All land in each P-C zone, or any section thereof, shall provide sufficient land or an approved alternative adequate land designated as for “community purpose facilities (CPF),” as defined in CVMC 19.04.055 to serve the residents of the planned community.

B. (1) A total of 1.39 acres of net usable land (including setbacks) per 1,000 population, or other allowable performance options, shall be so designated for such facilities in any planned community, and shall be so designated in the sectional planning area (SPA) plan(s) and planned community district regulations of each planned community. (2) A reduced acreage requirement based on the provision of another public benefit. The public benefit must be (a) of equal or greater value than the reduction in CPF acreage, and (b) must be of a similar nature to that which would have been otherwise been obtained by the provision of the CPF acreage. A formal binding agreement with the City to provide the public benefit or that would allow for the City to obtain such public benefit must be approved by the City Council. The public benefit is not at the time of the adoption of the SPA a prior obligation of the applicant. This total acreage requirement may be reduced only if the city council determines, in conjunction with its adoption of an SPA plan, that a lesser amount of land is needed, based on availability of shared parking with other facilities, or other community purpose facilities that are guaranteed to be made available to the community. Any shared parking arrangements pursuant to this section shall be guaranteed regardless of any future changes in occupancy of facilities.

C. The CPF requirements under this section 19.48.025 (B) may be satisfied through the provision of one of the following:

1. Designation of Land. Applicant shall provide a total of 1.39 acres of net usable land (including setbacks) per 1000 population in a graded usable condition with necessary access and utilities available for “community purpose facilities (CPF)” in the associated planned community, and such land shall be so designated in the sectional planning area (SPA) plan(s) and planned community district regulations of such planned community prior to the approval of the SPA plan. The total

acreage requirement may be reduced only if the city council, in conjunction with its adoption of a SPA plan, finds that either:

- a. A reduction is justified based on the availability of shared parking with other facilities. The reduction in acreage shall be no more than the acreage associated with parking that would otherwise be provided on-site for the proposed CPF facility. Any shared parking arrangements pursuant to this section shall be guaranteed regardless of any future changes in occupancy of such facilities providing the shared parking.
- b. That at the time of the adoption of the SPA Plan, other community purpose facilities with sufficient excess capacity or land exist and such facilities are guaranteed to be made available to the community.

2. Construction of Building and Designation of Land. If, the Director of Development Services, in his/her sole discretion, determines that the CPF acreage requirement may be reduced by the construction of a CPF building, then the Applicant shall construct a building suitable for CPF uses and provide the land, which shall be designated as CPF, on which such building shall be located as follows:

- a. The building shall be a stand-alone structure.
- b. The land on which such building will be located shall be no less than one acre.
- c. The land shall be designated as CPF and shall be deed restricted in such a manner as to ensure that the on-site building is used in perpetuity solely for CPF purposes and the deed restriction shall be enforceable by the City against the tenant and the property owner.
- d. The combined value of the CPF land and the building shall have market value at the least equal to value of the land area that would otherwise have been provided under 19.48.025 (B):
 - i. The total value of the land area shall be determined at the time of its designation as CPF land.
 - ii. The total value of the land shall be calculated using the value of equal acreage of single-family designated residential land within the same SPA Plan Area.

3. Building Square Footage in Lieu of CPF Land Acreage. If, the Director of Development Services, in his/her sole discretion, determines that the CPF acreage requirement may be satisfied in the construction of a CPF building, then the applicant may satisfy CPF requirements through the construction of building square footage, exclusive of external areas required for setbacks, landscaping, parking, and other requirements consistent with the SPA Plan's site development standards, in an independent building or through space within a multi-use building in the following manner:

- a. The CPF acreage requirement under 19.48.025 (B) shall be converted to building square footage at a ratio of 20,000-square feet of floor area per one acre of CPF land otherwise required under section 19.48.025 (B), provided that:

- i. Such CPF facility is centrally located within the same SPA Planning Area with a minimum reserved square footage of 10,000-square feet.
- ii. The square footage shall be guaranteed to be reserved in perpetuity for CPF uses through a recorded document acceptable and approved by the City Attorney's Office.
- iii. The building square footage shall be delivered within the timeframe of development of the SPA Plan area, and said delivery timing shall be specified in the SPA Plan.
- iv. The parcel on which the CPF use will be provided shall be specifically identified in the SPA Plan.

4. Off-Site Facilities Outside of SPA Planning Areas. If, the **Director of Development Services,**

in his/her sole discretion, determines that none of the CPF options in 19.48.025 (C)(1 - 4) are feasible, which determination shall be based solely on availability of CPF land and good planning practices, rather than financial constraints of the applicant, within a SPA planning area, an equivalent amount of CPF land area may be provided outside the SPA planning area subject to the following provisions:

- a. The land area to be provided must be located less than a 2 mile radius from the core, or less than 1 mile away from the SPA planning boundary area from which its need was generated.
- b. The land area to be provided shall be in conformance with Section 19.48.025 (B) Alternatives 19.48.025 (C)(1 - 4) shall not be available to the applicant.
- c. The land area to be provided shall be zoned CPF prior to its acceptance.
- d. Prior to the approval of the SPA Plan, the applicant shall provide the City with a fully executed and enforceable agreement, satisfactory to the City, granting the applicant or its successor in interest the option to purchase the CPF land. In addition, the proposed CPF land shall have a deed restriction recorded against it that is enforceable by the City and restricts the use of the proposed CPF land to CPF uses.
- e. The land area to be provided shall be delivered within the timeframe of development of the SPA Plan area, and said delivery timing shall be specified in the SPA Plan.
- f. The proposed CPF parcel shall be specifically identified in the SPA Plan.
- g. The proposed CPF parcel will not be used as a basis for CPF credit for other development outside the SPA Plan area.

D. The required CPF acreage shall have a CPF, community purpose facilities, land use designation. All of the following uses are permitted subject to approval of a conditional use permit:

1. Boy Scouts, Girl Scouts, and other similar organizations;

2. Social and human service activities, such as Alcoholics Anonymous;
3. Services for homeless;
4. Services for military personnel during the holidays;
5. Senior care and recreation;
6. Places of religious assembly, or Worship, spiritual growth and development, ~~and teaching of traditional family values;~~
7. Nonprofit or for-profit day care facilities that are ancillary to any of the above or as a primary use. For-profit facilities as primary use are subject to further requirements and additional criteria as outlined in subsection (F) of this section;
8. Private schools that are ancillary to any of the above;
9. Interim uses, subject to the findings outlined in subsection (E) of this section;
10. Recreational facilities, ~~such as for non-profit organizations providing community facilities and sports complexes such as soccer, baseball, football, softball ball fields, and basketball, hockey, boxing, karate gyms, rinks, and field houses.~~
11. Private recreational facilities (PRF), for nonprofit organizations (including owned or operated by homeowners associations) serving the local community, subject to the requirements outlined in CVMC 19.48.040(B)(6)(d) and subject to a 35 percent CPF master plan area limitation as outlined in the findings ~~outlined in~~ subsection (H) of this section.

~~E. D-~~ Criteria outlining the siting, property development standards, and operational parameters such as location, building setbacks, maintenance and design, and hours of operation, shall be incorporated into the SPA's planned community district regulations.

~~F. E-~~ Findings. Approval of interim uses on CPF-designated sites shall require that the approval authority make certain findings, as outlined herein:

1. Conditional Interim Uses (applies only to CPF land acreages). The city council, with recommendations from the planning commission, may approve a conditional use permit for an interim use in accordance with the procedures for issuance of a said permit as outlined in Chapter 19.14 CVMC provided the following findings are made:

- a. That the CPF land use designation was established at least three five years prior to the consideration of any interim use, and the applicant agrees to continue marketing the site for permanent CPF use concurrent with the interim use.

- b. That the interim use is not a residential use.
- c. That the interim use is compatible with surrounding land uses.
- d. That a community purpose facility (CPF) use is not imminent at the time the application for the conditional use permit is filed.
- e. That the interim use will terminate within ~~five~~ three years of issuance of said permit unless the city council provides one year's notice of intent to terminate said conditional use permit.
- f. That the denial of the interim use would constitute a hardship to the landowner.
- g. That if the interim use structure is designed as a permanent building, the site design, floor plan and building design is planned as a conceptual component of a permanent, permitted CPF use complex.

~~G. F.~~ Findings. Approval of for-profit day care facilities as a primary use shall be based upon evidence determined to be sufficient by the city indicating that the CPF site has been marketed for a period of five years for CPF land uses (other than for-profit day care) as defined in subsection (C) of this section. The director of planning and building may waive this time restriction if the remaining CPF acreage within the same SPA plan consists of at least four contiguous acres.

~~H. G.~~ Review by City Council. For each approved sectional planning area plan on which is designated one or more community purpose facility uses, the city council shall review said plan annually for the purpose of determining the actual market interest in the purchase or lease of said land so designated and the marketing activity associated therewith.

~~I. H.~~ Findings. Approval of recreational facilities shall be based upon evidence determined to be sufficient by the city that the proposed recreational facilities iesy do not constitute greater than 35 percent of the total of CPF acreage/square footage within a CPF master plan area or SPA planning area, as defined in Section 19.48.040 (B) (6) (d). Proposed recreational facilities shall be delivered within the timeframe of development of the SPA Plan area, and said delivery timing shall be specified in the SPA Plan. In addition, the proposed recreational facilities must meets the following minimum requirements:

1. The site should be no less than 0.5 usable acres in size (usable means level areas with maximum slope of 5:1).
2. The recreational facility is compatible with the surrounding land uses.
3. A recreational facility located on a parcel of less than one acre will contain the following recreational amenities:
 - a. One multi-purpose hard court;

- b. Children play area;
- c. Community gathering place;
- d. An outdoor cooking facility; and
- e. Level lawn area.

4. Recreational facilities located on one-acre parcels or larger will contain all the amenities listed in subsection (~~H~~)(3) of this section plus one or more of the following sport court/fields:

- a. Tennis court;
- b. Swimming pool;
- c. Full size sport court/field; or
- d. Other sport facilities determined to be suitable for the neighborhood this facility is intended to serve, all as determined by the Zoning Administrator.

Recreational facilities proposed for full or partial CPF credit shall either contain the facilities as set forth in this section or alternative recreational facilities as approved by the Zoning Administrator. (Ord. 2883 § 5, 2002; Ord. 2830 § 5, 2001; Ord. 2732 § 5, 1998).

19.48.030 Application – Method – Documents required.

A P-C zone may be initiated by one or more owners, by a developer representing said owners or by the city upon application made in the manner specified in this chapter. (Ord. 2883 § 5, 2002; Ord. 2732 § 5, 1998; Ord. 2673, 1996; Ord. 1854 § 5, 1979; Ord. 1826 § 1, 1978; Ord. 1281 § 2, 1970; Ord. 1212 § 1, 1969; prior code § 33.520(C)).

19.48.040 Application – General development plan required – Contents required.

A. The application shall include a general development plan which shall consist of a plan diagram and text. The application shall be accompanied by the required fee(s). The plan diagram shall show the following:

- 1. The topographic character of the land;
- 2. Any major grading intended;
- 3. The general location of all existing and proposed uses of the land;
- 4. The approximate location of all traffic ways, except those solely serving abutting uses;
- 5. Any public uses, such as schools, parks, playgrounds, open space and undisturbed natural land; and

6. The approximate location of different residential densities of dwelling types.

B. The application shall include a text which indicates:

1. Description of the project, including the boundaries and names of proposed sectional planning areas;

2. The anticipated sequential development of each section of the development for which specific uses are intended or for which sectional planning area plans will be submitted;

3. The approximate area of each sectional planning area of the development and the area of each separate land use;

4. For residential development or residential areas of any P-C zone development:

a. The approximate number of dwelling units proposed by type of dwelling. This may be stated as a range with maximum and minimum number of units of each type,

b. The approximate total population anticipated in the entire development and in each sectional planning area. This may be stated as a range with a maximum and minimum number of persons,

c. The general criteria relating to height, open space, and building coverage,

d. The number of dwelling units per gross acre proposed for each sectional planning area of the development,

e. The approximate land area and number of sites proposed for public use of each type,

f. Where appropriate, the approximate retail sales area space in square feet and gross area in acres proposed for commercial development with standards of off-street parking and landscaping and circulation for vehicles and pedestrians;

5. For commercial or industrial areas of any proposed P-C zone:

a. Types of uses proposed in the entire area and each sectional planning area thereof,

b. Anticipated employment in the entire development and in each sectional planning area thereof. This may be stated as a range,

c. Methods proposed to control or limit dangerous or objectionable elements, if any, which may be caused or emitted by proposed uses. Such dangerous or objectionable elements may include fire, explosion, noise or vibration, smoke, dust, odor, or other form of air pollution, heat, cold, dampness, electric or other disturbance, glare, liquid or solid refuse or

waste, or other substance, condition or element which might adversely affect the surrounding area,

d. The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, off-street parking and loading proposed for the intended structures or uses;

6. For institutional, recreational or other nonresidential uses of any P-C zone:

a. Approximate types of uses proposed in the entire area and each sectional planning area thereof,

b. Significant applicable information with respect to enrollment, residence, employment, patients, attendance, and other pertinent social or economic characteristics of development,

c. The approximate standards of height, open space, buffering, landscaping, pedestrian and vehicular circulation, and off-street parking and loading proposed for the intended structures or uses,

d. Recreational facility land uses shall not utilize more than 35 percent of the overall CPF acreage required for CPF master plan area pursuant to 19.48.025 (I) unless the City Council determines that more than 35 percent can be credited to CPF pursuant to 19.48.025 (C – 1 – 4). Sites identified for recreational facilities in CPF land districts shall be a minimum one-half acre, and shall meet the minimum development criteria outlined in CVMC 19.48.025(H). Recreational facilities proposed for CPF credit will not receive park or open space credit.

Where homeowner association private recreational facilities are proposed to be located and provided as CPF sites within CPF land use districts, a CPF master plan is required. The CPF master plan shall show the specific boundaries of said plan which may be the SPA, GDP or planned community boundaries (or more than one GDP as deemed appropriate by the director of planning and building); ~~T~~the CPF master plan shall show distribution of existing and proposed CPF designated parcels of land acreages or the location of building square footage acreage equivalent on CPF zoned land within the master plan area; and the tabulation of individual sites acreages which shall be prepared and incorporated into the planned community's sectional planning area (SPA) plan and into the general development plan (GDP) if the CPF master plan involves more than one SPA plan. The incorporation of the CPF master plan into the SPA or GDP shall be done through a SPA or GDP amendment/adoption pursuant to CVMC 19.48.090 and 19.48.130. (Ord. 2883 § 5, 2002; Ord. 2830 § 5, 2001; Ord. 2732 § 5, 1998; Ord. 2506 § 1, 1992; Ord. 2452A § 3, 1991; Ord. 1854 § 5, 1979; Ord. 1826 § 1, 1978; Ord. 1281 § 2, 1970; Ord. 1212 § 1, 1969; prior code § 33.520(C)(1)).